

AMERICATEL CORPORATION
d/b/a 1010 123 Americatel
d/b/a Ametex
d/b/a 1 800 3030 123 Americatel Collect

COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 1

LONG DISTANCE RESALE TARIFF

TITLE SHEET

KENTUCKY TELECOMMUNICATIONS TARIFF

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of telecommunications services provided by Americatel Corporation, d/b/a 10 123 Americatel and 1010 123 Americatel with its principal offices at 4045 N.W. 97th Avenue, Miami, Florida 33178. this tariff applies for services furnished within the Commonwelath of Kentucky. This tariff is on file with the Kentucky Public Service Commission ("KPSC"), and copies may be inspected during normal business hours, at the Company's prinicpal place of business.

Issued: June 29, 2004

**By: Jorge Asecio
Chief Executive Officer
Americatel Corporation
4045 N.W. 97th Avenue
Miami, Florida 33178**

**PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
7/01/2004
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)**

By 
Executive Director

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 2

LONG DISTANCE RESALE TARIFF


CHECK SHEET

The sheets listed below which are inclusive of this tariff, are effective as of the date shown at the bottom of the respective sheet(s). The original and revised sheets named below comprise all changes from the original tariff, and are currently in effect as of the date on the bottom of this page.

<u>Sheet</u>	<u>Revision</u>	<u>Sheet</u>	<u>Revision</u>	<u>Sheet</u>	<u>Revision</u>	<u>Sheet</u>	<u>Revision</u>
1	Original	17	Original	33	Original		
2	Original	18	Original	34	Original		
3	Original	19	Original	35	Original		
4	Original	20	Original	36	Original		
5	Original	21	Original	37	Original		
6	Original	22	Original	38	Original		
7	Original	23	Original	39	Original		
8	Original	24	Original	40	Original		
9	Original	25	Original	41	Original		
10	Original	26	Original				
11	Original	27	Original				
12	Original	28	Original				
13	Original	29	Original				
14	Original	30	Original				
15	Original	31	Original				
16	Original	32	Original				

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 3

LONG DISTANCE RESALE TARIFF

TABLE OF CONTENTS

	<u>PAGE</u>
TITLE SHEET	1
CHECK SHEET	2
TABLE OF CONTENTS	3
SYMBOLS USED IN THIS TARIFF	4
TARIFF FORMAT	5
SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS	7
SECTION 2 - RULES AND REGULATIONS	9
SECTION 3 - DESCRIPTION OF SERVICE	19
SECTION 4 - RATES	21

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 4

LONG DISTANCE RESALE TARIFF

SYMBOLS USED IN THIS TARIFF

The following are the only symbols used for the purposes indicated below:

D - Delete or Discontinue

I - Change resulting in an increase to a Customer=s bill

M - Moved from another tariff location

N - New

R - Change resulting in a reduction to a Customer=s bill

T - Change in text or regulation but not change in rate or charge

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 5

LONG DISTANCE RESALE TARIFF

TARIFF FORMAT

- A. Sheet Numbering - Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.
- B. Sheet Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file with the PUC. For example, the 4th revised Sheet 14 would cancel the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc. that the PUC follows in its tariff approval process, the most current sheet number on file with the PUC is not always the tariff page in effect. Consult the Check Sheet for the sheet currently in effect.
- C. Paragraph Numbering Sequence - There are various levels of alphanumeric coding. Each level of coding is subservient to its next higher level:
- 2.
 - 2.1.
 - 2.1.1.
 - 2.1.1.A.
 - 2.1.1.A.1.
 - 2.1.1.A.1.(a).
 - 2.1.1.A.1.(a).I.
 - 2.1.1.A.1.(a).I.(i).
 - 2.1.1.A.1.(a).I.(i).(1).

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 6

LONG DISTANCE RESALE TARIFF

TARIFF FORMAT
(Continued)

- D. Check Sheets - When a tariff filing is made with the PUC, an updated check sheet accompanies the tariff filing. The check sheet lists the sheet contained in the tariff and gives the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated on the check sheet with an asterisk (*). There will be no other symbols used on the check sheet if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some pages.) The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the PUC.

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 7

LONG DISTANCE RESALE TARIFF

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

For the purposes of this tariff, the following definitions will apply:

1.1. Company

Americatel Corporation, 4045 N.W. 97th Avenue, Miami, Florida 33178, a corporation organized under the laws of the State of Delaware.

1.2. Customer

Denotes any individual, company or other entity, or any duly authorized agent thereof, that utilizes the Services offered under this tariff.

1.3. Day

From 7:00 AM up to, but not including, 8:00 PM local time Monday through Friday.

1.4. Commission

The Kentucky Public Service Commission.

1.5. Evening/Weekend

From 8:00 PM up to, but not including, 7:00 AM local time Monday through Friday, and 24 hours a day on Saturday, Sundays and Holidays.

1.6. KPSC

The Kentucky Public Service Commission.

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 8

LONG DISTANCE RESALE TARIFF

1.7. Holidays

The Company's recognized holidays are New Year=s Day (January 1), Memorial Day, Independence Day (July 4), Labor Day, Thanksgiving Day and Christmas Day (December 25).

1.8. Service(s)

The communications offerings provided by the Company.

1.9. Underlying Carrier

A facilities-based intrastate interexchange carrier or reseller providing the Services being resold by the Company.

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 9

LONG DISTANCE RESALE TARIFF

SECTION 2 – RULES AND REGULATIONS

2.1. Application of Tariff

- 2.1.1. This tariff contains the regulations and rates applicable to intrastate resale telecommunications services provided by the Company to business and residential customers for telecommunications between points within the Commonwealth of Kentucky. The Company's services are furnished subject to the availability of facilities and subject to the terms and conditions of this tariff.
- 2.1.2. The Company's services are not part of a joint undertaking with any other entity providing telecommunications channels, facilities or services, but involve the resale of the facilities and/or services of underlying common carriers.
- 2.1.3. The rates and regulations contained in this Tariff apply only to the services furnished by the Company and do not apply, unless otherwise specified, to the lines, facilities, or services provided by a local exchange telephone company or other common carrier for use in accessing the services of the Company.
- 2.1.4. The Customer is entitled to limit the use of the company's services by end users at the Customer's facilities, and may use other common carriers in addition to or in lieu of the Company.

2.2. Undertaking of the Company

- 2.2.1. The Company's services and facilities are furnished for communications originating at specified points within the Commonwealth of Kentucky under the terms of this tariff. The Company installs, operates and maintains the communication services provided herein in accordance with the terms and conditions set forth under this tariff. The Company will resell long distance

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 10

LONG DISTANCE RESALE TARIFF

services to customers within the Commonwealth of Kentucky.

- 2.2.2. The Company will offer casual dial-around 10XXX service on a non-presubscribed basis only.
- 2.2.3. The Company shall be responsible only for the resale of the Services it offers.
- 2.2.4. The Company's Services are available twenty-four hours per day, seven days per week.

2.3. Limitations of Service

- 2.3.1 All Service is offered subject to availability of the necessary facilities of underlying carriers, to the provisions of this tariff, and to applicable law.
- 2.3.2. Except as indicated otherwise herein, the Company reserves the right to refuse or discontinue Service immediately to Customers without incurring liability:
 - A. For non-payment of any sum owing to the Company;
 - B. For insufficient or fraudulent billing information, invalid or unauthorized telephone numbers, credit card numbers or pre-arranged account code numbers;
 - C. For any violation by a Customer related to the request for such Service of either the provisions of this Tariff or any applicable laws, rules, regulations, or policies of any governmental authority;
 - D. By reason of any order or decision of a court or other governmental authority which prohibits the Company from furnishing such Service;

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 11

LONG DISTANCE RESALE TARIFF

- E. If the Company deems such refusal necessary to protect itself or third parties against fraud or to otherwise protect its personnel, agents, or Services;
- F. If such refusal or discontinuance is otherwise made necessary by conditions beyond the Company's control.

2.3.3. The Company may discontinue service to a Customer for nonpayment of disputed charges or other violation of this tariff or provisions of applicable law upon 10 days' written notice to the Customer without incurring any liability for damages due to the loss of telephone service.

2.3.4. The Customer may not transfer or assign its rights or duties under this tariff without the express written consent of the Company. All regulations and conditions contained in this tariff shall apply to all such assignees or transferees that the Company has authorized.

2.4. Liabilities of the Company

2.4.1 Except as stated in this Subsection, the Company shall have no liability for damages of any kind arising out of or related to events, acts, rights, obligations, or privileges contemplated by this tariff. This tariff does not limit the liability of the Company for willful misconduct.

2.4.2. The liability of the Company to its Customer(s) resulting in whole or in part from, or arising in connection with, the furnishing of Service under this tariff, including, but not limited to, mistakes, omissions, interruptions, delays, errors or other defects or misrepresentations, shall not exceed an amount equal to the lesser of \$500 or the charge applicable under this tariff to the call or calls affected. No

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TARIFF NO. 1
ORIGINAL SHEET 12

LONG DISTANCE RESALE TARIFF

other liability in any event shall attach to the Company, including liability resulting from the unavailability of Service due to the failure or inoperability of any Customer-provided communications equipment.

- 2.4.3. The Company shall not be liable for any failure of performance hereunder due to causes beyond its control, including, but not limited to: Acts of God, fires, flood or other catastrophes; any law, order, regulation, directive, action or request of the United States Government, or any other government, including state and local governments having jurisdiction over the Company, or of any department, agency, commission, bureau, corporation or other instrumentality of any one or more of said governments, or of any civil or military authority; national emergencies, insurrections, riots, wars or labor difficulties.
- 2.4.4. The Company shall not be liable for any claim or loss, expense or damage arising out of the provision of Service (including direct, special or consequential damages, attorney fees or court costs), or for any interruption, delay, error, omission, or defect in any Service, facility or transmission provided under this tariff, if caused by any person or entity other than the Company.
- 2.4.5. The Customer shall defend, indemnify and save harmless the company from and against any suits, claims, losses or damage, including punitive damages, attorney fees and court costs, brought or caused by the Customer or third parties and arising out of any act or omission of the Customer in the course of any authorized use, unauthorized use or misuse of the Company's Services, or the Customer's equipment or facilities. Unauthorized use or misuse of the Customer's equipment or facilities includes, but is not limited to, the unauthorized use or misuse of such equipment or facilities by the Customer's agent(s) or other third parties. The Company does not warrant or guarantee that it can prevent such unauthorized use or misuse, and the Customer is responsible for controlling access to, and use of, its own equipment and facilities.

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 13

LONG DISTANCE RESALE TARIFF

2.4.6. The Company shall not be liable for, and shall be fully indemnified and held harmless by the Customer against, any claim or loss, expense or damage (including indirect, special or consequential damages, attorney fees or court costs) for defamation, libel, slander, invasion of privacy, infringement of copyright or patent, unauthorized use of any trademark, trade name or service mark, unfair competition, interference with or misappropriation or violation of any contract, proprietary or creative right, or any other injury or harm to any person, property or entity arising out of the material, data, information, or other content revealed to, transmitted, or used by the Company under this tariff; or for any act or omission of the Customer.

2.4.7. **THE COMPANY MAKES NO WARRANTY, EITHER EXPRESS OR IMPLIED, CONCERNING THE SERVICES, INCLUDING, WITHOUT LIMITATION, WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.**

2.4.8. No agent or employee of any other carrier shall be deemed to be an agent or employee of the Company unless the Company or a duly authorized agent or employee of the Company so authorizes in writing.

2.5. Provision of Equipment

2.5.1. Customer-provided communications equipment at the Customer's premises for use in connection with Services provided hereunder shall be so constructed, maintained and operated as to work satisfactorily with the Services and facilities of the Company, and/or the Company's Underlying Carriers. Such Customer-provided equipment shall be in compliance with all applicable rules and regulations of the KPSC and the Federal Communications Commission, the laws

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 14

LONG DISTANCE RESALE TARIFF

of the Commonwealth of Kentucky and the requirements of the Communications Act of 1934, as amended.

2.5.2. The Company shall not be responsible for the installation, operation or maintenance of any Customer-provided communications equipment. Where such equipment is connected to Services furnished pursuant to this tariff, the responsibility of the Company shall be limited to the furnishing of Services under this tariff in the proper manner. Subject to this requirement, the Company shall not be responsible for:

- A. the through transmission of signals generated by Customer-provided equipment or for the quality of, or defects in, such transmission;
- B. the reception of signals by Customer-provided equipment; or
- C. network control signaling where such signaling is performed by Customer-provided network control signaling equipment.

2.6. Payment for Services

2.6.1. The Customer is responsible for the payment of all charges for Services furnished to the Customer and Customer's agent(s) or patrons of the Customer, and for all calls placed by or through Customer's equipment directly or via any remote access features. The Customer is also responsible for the payment of charges for calls originated at the Customer's numbers which are not collect, third party, calling card or credit card calls.

2.6.2. The Company's bills are due upon receipt. If full payment is not received within 30 days after the bill is issued, a late payment penalty on the unpaid balance shall

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 15

LONG DISTANCE RESALE TARIFF

be assessed at the rate of 1.5% per month or at the maximum permissible rate under applicable law, whichever is greater.

- 2.6.3. Disputes with respect to charges must be presented to the Company in writing within sixty (60) days from the date the bill in question is issued or such bill will be deemed correct and binding on the Customer. If a billing dispute arises, Customer may request, and the Company will provide, a review of the disputed amount. The undisputed portion of the relevant bill and all subsequent bills must continue to be paid on a timely basis.
- 2.6.4. Customers may refer billing disputes and any other complaints to the Company at (888) 801-0123, or to the KY PSC at (800) 772-4636, 211 Sower Blvd., P.O. Box 615, Frankfort, Kentucky 40602.
- 2.6.5. The Customer shall be liable to the Company for the cost of collection of all charges owed to the Company. Collection fees on unpaid charges will accrue at a rate of 1.5% per month. Collection fees on unpaid charges shall begin to accrue when the account is assigned to an outside collection agency. Such collection fees are separate and distinct from attorney=s fees and other costs incurred in collecting charges owed to the Company. Company will not apply a penalty to a prior penalty amount (807 KAR 5:006, Section 8(3)(h)).
- 2.6.6. If the Company initiates legal proceedings to collect any amount due hereunder and the Company substantially prevails in such proceedings, then the Customer shall pay the reasonable attorneys fees and costs of the Company in prosecuting such proceedings and appeals therefrom. In the event that the Company suspends the provision of Services to the Customer pursuant to the provisions of this tariff, the Company will re-connect the Customer to such Services only when all debts

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 16

LONG DISTANCE RESALE TARIFF

of the Customer to the Company, including accrued interest and other expenses and costs of collection, have been fully discharged to the satisfaction of the Company.

2.6.7. All applicable taxes, fees, charges, exactions, or the like which must be paid to any governmental authority - federal, state, local, municipal or otherwise - for the provision of telecommunications services and which, pursuant to the rules and regulations governing such applicable taxes, fees, charges, exactions or the like, may be charged directly to the Customer, will be separately stated on the Customer's bill and charged to, and collected from, the Customer. It shall be the responsibility of the Customer to pay these taxes, and to accept the liability of any such unpaid taxes that may subsequently become applicable retroactively.

2.6.8. A return check charge of \$20.00 or 5% of the amount of the check, whichever is greater, will be assessed for checks returned for insufficient funds.

2.7. Billing Entity Conditions

When billing functions on behalf of the Company are performed by local exchange telephone companies, or others, the payment conditions and regulations of such companies apply, including any applicable interest and/or late payment charge conditions.

2.8. Liability of the Customer

The Customer, and not the Company, shall be liable for damage to the Underlying Carrier's facilities utilized to provide Services under this tariff that are caused by the negligence or willful act of the Customer or its agent(s), or that result from the improper use of the Underlying Carrier's facilities by the Customer or its agent(s). Nothing in the

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 17

LONG DISTANCE RESALE TARIFF

foregoing sentence shall be interpreted to hold one Customer liable for another Customer's actions.

2.9. Use of Service

2.9.1. The Services offered hereunder may be used to transmit communications of the Customer in a manner consistent with the terms of this tariff, the policies and regulations of the KPSC and the Federal Communications Commission, the laws of the Commonwealth of Kentucky and the requirements of the Communications Act of 1934, as amended. The Services offered hereunder shall not be used for any unlawful purpose.

2.9.2. The use of the Company's services without payment for service and any attempt to avoid payment for service by fraudulent means or devices, schemes, false or invalid numbers, or false calling or credit cards is prohibited.

2.10. Interruption of Service

2.10.1 Without incurring liability, the Company may interrupt the provision of services at any time in order to perform tests and inspections to assure compliance with tariff regulations and applicable law, and may continue such interruption until any items of non-compliance so identified are rectified.

2.10.2. The Company will consider customer requests for credit for faulty or incorrect connections and for other problems experienced by customers in the use of the Company's services on a case-by-case basis, and will provide reasonable credit in those cases in which it determines that the request is justified and the Company was at fault. All credit allowances shall be subject to the provisions of Section 2.4

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 18

LONG DISTANCE RESALE TARIFF

above. It shall be the obligation of the customer to notify the Company immediately of any service problems for which a credit allowance is desired.

Before giving such notice, the customer shall ascertain that the problem experienced is not being caused by any action or omission by the customer within the customer's control.

2.11. Restoration of Service

The use and restoration of Service shall be in accordance with the priority system specified in Part 64, Subpart D of the Rules of the Federal Communications Commission.

2.12. Billing Arrangements

The Customer will either be billed directly by the Company or its intermediary, or charges will be included in the Customer's regular telephone bill pursuant to billing and collection agreements established by the Company or its intermediary with the applicable telephone company.

2.13. Deposits

The Company does not require a deposit from the Customer.

2.14. Advance Payments

The Company does not require advance payments from the Customer.

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 19

LONG DISTANCE RESALE TARIFF

2.15. Employee Concessions

Employees of the Company do not receive any discount for any of the Company's services.

2.16. Failure to Notify or Enforce

The failure to give notice of default, to enforce or to insist upon compliance with any of the terms or conditions herein, the waiver of any terms or conditions herein, or the granting of an extension of time for performance by the Customer shall not constitute the permanent waiver of any term or condition herein. Each of the provisions of this tariff shall remain at all times in full force and effect unless and until modified in writing.

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 20

LONG DISTANCE RESALE TARIFF

SECTION 3 - DESCRIPTION OF SERVICE

3.1. Timing of Calls

3.1.1. When Billing Charges Begin and Terminate for Phone Calls

The chargeable time for a long distance call is determined by the duration of the call. Chargeable time begins when connection is established between the calling station and the called station. When the called party picks up is determined by hardware answer supervision, in which the local telephone company sends a signal to the switch or the software utilizing digital format or audio tone detection.

In any case, an unanswered call will not be billed. Chargeable time ends when the calling station hangs up or otherwise terminates the call. If the called station hangs up or otherwise terminates the call but the calling station does not, chargeable time ends when the connection is released either by automatic timing equipment in the telecommunications network or by the Underlying Carrier's operator.

3.1.2. Billing Increments

Unless otherwise specified in this tariff, the minimum call duration for billing purposes is 1 minute for a connected call. Calls beyond 1 minute are billed in 1 minute increments. The Customer will not be billed for the first 5 seconds beyond a given minute. After the first 5 seconds, the Customer will be billed for an additional minute.

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 21

LONG DISTANCE RESALE TARIFF

3.1.3. Per Call Billing Charges

Billing will be rounded up to the nearest penny for each call.

3.1.4. Uncompleted Calls

There shall be no charge for uncompleted calls.

3.2. Calculation of Distance

Billing will not be based on distance. Every call within the Commonwealth of Kentucky will be billed, regardless of distance, at rates that vary based on the time and day on which the call is made as indicated in Section 4 below.

3.3. Minimum Call Completion Rate

Carrier will ensure an industry standard blocking rate of P.01.

3.4 Service Offerings

3.4.1 Message Telecommunications Service

The Company offers and provides long distance service to residential, business and other customers. Service is available on a full-time basis, 24 hours a day, seven days a week. The Customer utilizes "1+" dialing for presubscribed service. For casual dial-around non-presubscribed service, the Customer dials 1-0-1-0123-1 and the destination area code and number. Message Telecommunications Services is not available from transient locations such as hospitals, university

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7/01/2004
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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 22

LONG DISTANCE RESALE TARIFF

dormitories or prisons, and is not available from cellular or pay telephones.

Any Customer who has elected to subscribe to Americatel as its primary residential interexchange carrier may also elect to enroll in one of the optional calling plans described in Sections 3.4.1.A and 3.4.1.B. below, which provide discounts on eligible calls. Any Customer who uses Americatel's Dial Around service, may elect to enroll in the Optional Dial Around Plan described in Section 3.4.1.D.

3.4.1.A. **Residential Presubscribed Calling Plans**

UniendoAmerica, Corta Distancia, and Habla Mas are the Company's presubscribed long distance services for residential and business customers. Intrastate rates are set forth herein. Interstate and international rates depend on the plan selected and are published on the Company's website www.americatel.com.

3.4.1.A.1. **UniendoAmérica Base**

The Customer shall pay a monthly fee of \$1.95. The Customer shall pay the applicable Carrier Line Charge contained in Section 4.1.1.B. The Customer shall pay \$.10 per minute for intrastate calls.

The Customer will be charged any promotional rates in effect if such rates are lower than the rates the Customer

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 23

LONG DISTANCE RESALE TARIFF

would otherwise be charged under this optional calling plan.

3.4.1.A.2. UniendoAmérica Familia

The Customer shall pay a monthly fee of \$2.95. The Customer shall pay the applicable Carrier Line Charge contained in Section 4.1.1.B. The Customer shall pay \$.10 per minute for intrastate calls.

The Customer will be charged any promotional rates in effect, if such rates are lower than the rates the Customer would otherwise be charged under this optional calling plan.

3.4.1.A.3. UniendoAmérica Tu Gente

The Customer shall pay a monthly fee of \$3.95. The Customer shall pay the applicable Carrier Line Charge contained in Section 4.1.1.B. The Customer shall pay \$.10 per minute for intrastate calls.

The Customer will be charged any promotional rates in effect if such rates are lower than the rates the Customer would otherwise be charged under this optional calling plan.

Issued: June 29, 2004

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4045 N.W. 97th Avenue
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PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
7/01/2004
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By 
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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 24

LONG DISTANCE RESALE TARIFF

3.4.1.A.4. UniendoAmérica Tu Mundo

The Customer shall pay a monthly fee of \$4.95. The Customer shall pay the applicable Carrier Line Charge contained in Section 4.1.1.B. The Customer shall pay \$.10 per minute for intrastate calls.

The Customer will be charged any promotional rates in effect if such rates are lower than the rates the Customer would otherwise be charged under this optional calling plan.

3.4.1.A.5. UniendoAmerica Tu Ahorro

The Customer shall pay a monthly fee of \$2.75. The Customer shall pay the applicable Carrier Line Charge contained in Section 4.1.1.B. The Customer shall pay \$.10 per minute for intrastate calls.

The Customer will be charged any promotional rates in effect if such rates are lower than the rates the Customer would otherwise be charged under this optional calling plan.

3.4.1.A.6. UniendoAmérica Plan Econômico

The Customer shall pay a monthly fee of \$2.00. The Customer shall pay the applicable Carrier Line Charge contained in Section 4.1.1.B. The Customer shall pay \$.10

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7/01/2004
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SECTION 9 (1)

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 25

LONG DISTANCE RESALE TARIFF

per minute for intrastate calls.

The Customer will be charged any promotional rates in effect if such rates are lower than the rates the Customer would otherwise be charged under this optional calling plan.

3.4.1.A.7. UniendoAmérica Especial II

The Customer shall pay a monthly fee of \$2.95. The Customer shall pay the applicable Carrier Line Charge contained in Section 4.1.1.B. The Customer shall pay \$.10 per minute for intrastate calls.

The Customer will be charged any promotional rates in effect if such rates are lower than the rates the Customer would otherwise be charged under this optional calling plan.

3.4.1.A.8. UniendoAmérica Especial I

A monthly minimum charge of \$6.00 is applicable to the Customer subscribed to Plan Especial I and Plan Especial I with the Domestic Rate Option. To apply the minimum charge, the Company calculates the difference between the charges incurred (before taxes) and the \$6.00 figure. To determine the actual bill, all international minutes, domestic minutes and monthly fees must be considered.

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7/01/2004
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 26

LONG DISTANCE RESALE TARIFF

The minimum bill charges will appear on the Customer's bill under a generic textphrase **UniendoAmerica 1**.

The Customer shall pay \$.10 per minute for intrastate calls.

The Customer shall pay the applicable Carrier Line Charge contained in Section 4.1.1.B.

The Customer will be charged any promotional rates in effect if such rates are lower than the rates the Customer would otherwise be charged under this optional calling plan.

3.4.1.A.9. Domestic Rate Plans

Under the Company's Domestic Rate Plan, the Customer under the following UniendoAmerica plans can choose to pay a higher monthly fee in exchange for a lower \$.07 per-minute rate on interstate calls.

<u>Plan</u>	<u>Domestic Rate Plan Monthly Fee</u>
UniendoAmérica Base	\$2.95
UniendoAmérica Familia	\$3.95
UniendoAmérica Tu Gente	\$4.95
UniendoAmérica Tu Mundo	\$5.95

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OF KENTUCKY
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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 27

LONG DISTANCE RESALE TARIFF

Under the Company's Domestic Rate Option Plan, The Customer can pay an additional monthly fee of \$.95 to receive a .05 per minute rate on interstate calls.

3.4.1.A.10. Corta Distancia and Corta Distancia Plus

The Company's Corta Distancia and Corta Distancia Plus Plans are presubscribed communications services. The product consists of packages of minutes that allow the customer to call for an established amount of minutes at a rate of \$.05 per minute. In exchange, the customer pays a monthly fee that varies by country and size of the package purchased that can range from \$3.00 to \$276.00. The Customer pays \$.10 per minute for intrastate calls.

A monthly minimum charge of \$3.00 is applicable to all Customers subscribed to Corta Distancia plans. The effective date of the monthly minimum is April 1, 2004 for customers subscribed after that date. The effective date of the monthly minimum is May 1, 2004 for customers subscribed before April 1, 2004. To apply the minimum charge, the Company calculates the difference between the charges incurred (before taxes) and the \$3.00 figure. To determine the actual bill, all international minutes, domestic minutes and monthly fees must be considered. The minimum bill charges will appear on the Customer's bill under a generic textphrase **UniendoAmerica I**.

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 28

LONG DISTANCE RESALE TARIFF

3.4.1.A.11. Habla Más

The Company's Habla Más Plan is a presubscribed communications service. The product consists of packages of minutes that allow customers to call for an established amount of minutes at a rate of 0¢ per minute. In exchange, customers pay a monthly fee that varies by country and size of the package purchased that can range from \$3.00 to \$276.00. The Customer pays \$.10 per minute for intrastate calls.

A monthly minimum charge of \$3.00 is applicable to all Customers subscribed to Habla Más plans. The effective date of the monthly minimum is April 1, 2004 for customers subscribed after that date. The effective date of the monthly minimum is May 1, 2004 for customers subscribed before April 1, 2004. To apply the minimum charge, the Company calculates the difference between the charges incurred (before taxes) and the \$3.00 figure. To determine the actual bill, all international minutes, domestic minutes and monthly fees must be considered. The minimum bill charges will appear on the Customer's bill under a generic textphrase **UniendoAmerica I**.

3.4.1.B. Business Presubscribed Calling Plans

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7/01/2004
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By 
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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 29

LONG DISTANCE RESALE TARIFF

3.4.1.B.1. Americatel Business -- Basic Plan (Plan #1)

The Customer shall pay a monthly fee of \$5.95. The customer shall pay the applicable Carrier Line Charge contained in Section 4.1.1.B. The Customer shall pay \$.10 per minute for intrastate calls. The Customer will be charged the promotional rates in effect for promotions if such rates are lower than the rates the Customer would otherwise be charged under this optional calling plan.

3.4.1.B.2. Americatel Business -- Discount Plan (Plan #2)

The Customer shall pay a monthly fee of \$7.95. The Customer shall pay the applicable Carrier Line Charge contained in Section 4.1.1.B. The Customer shall pay \$.10 per minute for intrastate calls.

The Customer will be charged the promotional rates in effect for promotions if such rates are lower than the rates the Customer would otherwise be charged under this optional calling plan.

3.4.1.B.3. Americatel Business -- Premium Plan (Plan #3)

The Customer shall pay a monthly fee of \$9.95. The Customer shall pay the applicable Carrier Line Charge contained in Section 4.1.1.B. The Customer shall pay \$.10 per minute for intrastate calls.

The Customer will be charged the promotional rates in effect for promotions if such rates are lower than the rates the Customer would otherwise be charged under this optional calling plan.

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7/01/2004
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SECTION 9 (1)

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 30

LONG DISTANCE RESALE TARIFF

3.4.1.C. Interim Calling Option

Any Customer who has enrolled in an optional calling plan described in Section 3.4.1.A. shall be charged at the rates for presubscribed Message Telecommunications Service elected through such plan for all calls carried by Americatel, including, for a period of 90 days from the date of enrollment in such plan, those calls that are initiated by dialing Americatel's dial around code (10-10-123). In order to obtain the rate described under this option, the customer must specifically agree to contact its local exchange carrier (LEC) to request that its primary interexchange carrier be changed to Americatel, in the event that Americatel is unable to effect such customer's election without the customer's direct authorization to the LEC.

3.4.1.D. Optional Dial Around Plan

Any Customer who agrees to pay the monthly fee set forth in any optional Calling Plan may select one (1) destination from the list of destinations and charges in the corresponding Optional Calling Plan, and will be charged the applicable per minute rate for calls to that destination when such calls are initiated by dialing Americatel's dial around code (10-10-123). Calls to all other destinations will be charged at the basic rates for presubscribed Message Telecommunications Service.

3.5. Directory Assistance

A Directory Assistance Charge applies to all calls made from points within the State to Intrastate Directory Assistance. This charge applies whether or not the Directory Assistance

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7/01/2004
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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 31

LONG DISTANCE RESALE TARIFF

bureau furnishes the requested telephone number (e.g. where the requested telephone number is unlisted, non-published, or no record can be found).

3.6. Dial-Around Code 10-15-688 AMETEX

General

Ametex 10-15-688 dial-around code is a communications service that allows customers to place long distance calls from their home telephone number or business number to international and domestic destinations.

Service Availability

Ametex 10-15-688 is available 24 hours a day, 7 days a week from residential and some small business phones located within the Continental United States. The service is not available to place calls from hotels, prisons, cellular phones, large businesses and pay phones.

Credit Allowances for Interruptions

Credit is applicable to the portion of the call that is interrupted due to cut off, poor transmission or one way transmission. Ametex will not grant credit for reaching the wrong number. The customer will receive credit on a per minute basis [in this case it is for the full amount of the first ten minutes], but there will be no credit issued for calls over ten minutes. There will only be one allowance granted per phone number per month.

To receive proper credit, the customer must notify immediately the

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PUBLIC SERVICE COMMISSION
OF KENTUCKY
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7/01/2004
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

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d/b/a 1 800 3030 123 Americatel Collect

COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 32

LONG DISTANCE RESALE TARIFF

company about the trouble experienced [e.g. cut off, noisy circuit], and the approximate time the call was made. The customer service representative will validate the complaint by revising the ANI's calling history. The customer can contact us at the designated customer service number of Ametex, or at the Billing Concepts, Inc. ("USBI") customer service number published in the clients' monthly telephone bill.

Credit allowances do not apply for interruption not reported to the company, interruption due to failure of power, equipment or systems not provided by Ametex.

3.7. 1-800-3030-123 Americatel Collect Service

General

The 1-800-3030-123 Americatel Collect Service is a communications service that allows persons to make domestic long distance or local collect calls by accessing the toll free access number. The call is billed to the called party's telephone number billing account, provided the called party accepts the charges at the time of the call.

Service Availability

The 1-800-3030-123 Americatel Collect Service is available 24 hours a day, 7 days a week from Dual Tone Multi Frequency phones located within the Continental USA when such access is available from America's Underlying Carrier.

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**PUBLIC SERVICE COMMISSION
OF KENTUCKY
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7/01/2004
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)**

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d/b/a 1 800 3030 123 Americatel Collect

COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 33

LONG DISTANCE RESALE TARIFF

Credit Allowances

A credit up to the sum of the connection charge plus the first minute rate is granted for claims on interrupted calls due to cut off, poor transmission or one-way transmission. Americatel will not grant credit for reaching the wrong number. No more than 2 credit allowances will be granted to the same ANI during the same billing period. Credit allowances do not apply for interruption not reported to the company, interruption due to failure of power, equipment or systems not provided by Americatel.

For claims on billing errors or disputes on charges, the credit allowed, if any, will vary depending on the Customer Service Representative's discretion.

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OF KENTUCKY
EFFECTIVE
7/01/2004
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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 34

LONG DISTANCE RESALE TARIFF

SECTION 4 - RATES

4.1. 10XXX Casual Dial-Around Service

10XXX Casual Dial-Around Service is billed by whole minutes, with partial minutes of usage rounded up to the next whole minute as indicated in Section 3.1.2 above. Rates apply irrespective of mileage, and are as follows:

	Initial Minute	Additional Minute
Day:	\$0.15000	\$0.15000
Evening/Weekend:	\$0.15000	\$0.15000

4.1.1. Charges Applicable to Presubscribed Customers

4.1.1.A. Monthly Service Charge

Where Americatel serves as the Customer's Primary Interexchange Carrier ("PIC") for presubscribed Message Telephone Service, the Customer shall pay the applicable monthly recurring charge as described in Sections 3.4.1.A.1 to 3.4.1.A.11, 3.4.1.B.1 to 3.4.1.B.3 and 4.1.2.A through 4.1.2.M.

4.1.1.B. Where Americatel serves as the Customer's Primary Interexchange Carrier ("PIC") for presubscribed Message Telephone Service, the Customer shall pay a monthly recurring line charges as follows:

Residential Primary	N/A
Residential Non-Primary	N/A

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 35

LONG DISTANCE RESALE TARIFF

Business Single Line	N/A
Business Multi-Line	\$4.68 per line.

4.1.2. Presubscribed Calling Plan Rates

For all Optional Calling Plans, when the service date is started, changed or discontinued and does not coincide with the billing cycle date, the monthly charge will be adjusted to reflect the fractional part of the month in which service is provided. For billing calculation purposes each month is considered to have 30 days.

4.1.2.A. UniendoAmerica

Basic Intrastate Rate	\$0.10 per minute
Basic Monthly Fee	\$1.95
Domestic Rate Plan Monthly Fee	\$2.95
Domestic Rate Option Plan	add \$.95 to monthly fee

4.1.2.B. UniendoAmerica Familia

Basic Intrastate Rate	\$0.10 per minute
Basic Monthly Fee	\$2.95
Domestic Rate Plan Monthly Fee	\$3.95
Domestic Rate Option Plan	add \$.95 to monthly fee

4.1.2.C. UniendoAmerica Tu Gente

Basic Intrastate Rate	\$0.10 per minute
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PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
7/01/2004
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By 
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COMMONWEALTH OF KENTUCKY

TARIFF NO. 1

ORIGINAL SHEET 36

LONG DISTANCE RESALE TARIFF

	Basic Monthly Fee	\$3.95
	Domestic Rate Plan Monthly Fee	\$4.95
	Domestic Rate Option Plan	add \$.95 to monthly fee
4.1.2.D.	<u>UniendoAmerica Tu Mundo</u>	
	Basic Intrastate Rate	\$0.10 per minute
	Basic Monthly Fee	\$4.95
	Domestic Rate Plan Monthly Fee	\$5.95
	Domestic Rate Option Plan	add \$.95 to monthly fee
4.1.2.E.	<u>UniendoAmerica Tu Ahorro</u>	
	Basic Intrastate Rate	\$0.10 per minute
	Basic Monthly Fee	\$2.75
	Domestic Rate Option Plan	add \$.95 to monthly fee
4.1.2.F.	<u>UniendoAmerica Economico</u>	
	Basic Intrastate Rate	\$0.10 per minute
	Basic Monthly Fee	\$2.00
4.1.2.G.	<u>UniendoAmerica Especial II</u>	
	Basic Intrastate Rate	\$0.10 per minute
	Basic Monthly Fee	\$2.95
4.1.2.H.	<u>UniendoAmerica Especial I</u>	
	Basic Intrastate Rate	\$0.10 per minute

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TARIFF NO. 1
ORIGINAL SHEET 37**

	Monthly Minimum Charge	\$6.00
4.1.2.I.	<u>Corta Distancia and Corta Distancia Plus</u>	
	Basic Intrastate Rate	\$0.10 per minute
	Basic Monthly Fee	Depends on Plan selected. See Section 3.4.1.A.10.
	Minimum Monthly Charge	\$3.00
4.1.2.J.	<u>Habla Más</u>	
	Basic Intrastate Rate	\$0.10 per minute
	Basic Monthly Fee	Depends on Plan selected. See Section 3.4.1.A.11.
	Minimum Monthly Charge	\$6.00
4.1.2.K.	<u>Americatel Business - Basic Plan (Plan #1)</u>	
	Basic Intrastate Rate	\$0.10 per minute
	Monthly Fee	\$5.95
4.1.2.L.	<u>Americatel Business - Discount Plan (Plan #2)</u>	
	Basic Intrastate Rate	\$0.10 per minute
	Monthly Fee	\$7.95

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AMERICATEL
d/b/a 1010 123 Americatel
d/b/a Ametex
d/b/a 1 800 3030 123 Americatel Collect

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TARIFF NO. 1
ORIGINAL SHEET 38

LONG DISTANCE RESALE TARIFF

4.1.2.M. Americatel Business - Premium Plan (Plan #3)

Basic Intrastate Rate	\$0.10 per minute
Monthly Fee	\$9.95

4.2. Determining Applicable Rate in Effect

For the initial minute, the rate applicable at the start of chargeable time at the calling station applies. For additional minutes, the rate applicable is that rate which is in effect at the calling station when the additional minute(s) begin. That is, if chargeable time begins during the Day Period, the Day rate applies to the initial minute and to any additional minutes that the call continues during that rate period. If the call continues into a different rate period, the appropriate rates from that period apply to any additional minutes occurring in that rate period. If an additional minute is split between two rate periods, the rate period applicable at the start of the minute applies to that entire minute.

4.3. Promotions

The Company may from time to time engage in special promotional service offerings designed to attract new subscribers or to increase subscriber awareness of a particular service offering. Such promotional offerings will be limited to specific dates, times and locations. Except for the rates charged under such promotions and any other specified terms and conditions of those promotions, all terms and conditions of service contained in this tariff shall apply to the Company's promotional service offerings. Company will file special promotions within the tariff with a minimum of a 1-day notice (Administrative Case Order 359).

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ORIGINAL SHEET 39

LONG DISTANCE RESALE TARIFF

4.4. Dial-Around Code 10-15-688 AMETEX

Rate and Charge Application

Ametex 10-15-688 has a model that will charge the customer a fixed price for the first ten minutes, plus a specific rate for each additional minute according to the destination.

The service does not charge a connection fee.

The monthly charges will be billed to the customer by Billing Concepts, Inc ("USBI"), and it will appear in their monthly Local Exchange Carrier ("LEC") bill. 10-15-688 service will only be available to customers that have active service with LECs, as our service will not be provided to customers who receive service from CLECs. These customers will be blocked and will not be able to use our service.

The chargeable time for a 10-15-688 call during the first ten minutes is not determined by the duration of the call. The customer will pay the full amount if the call lasts 1 minute or the full ten minutes. Chargeable time begins when the called party answers the call and two-way communication is established. Chargeable time ends when the calling or called station hangs up or otherwise terminates the call. Call rates for the first ten minutes are determined by the terminating location of the call.

For all calls of more than ten minutes, the rates per additional minutes will be determined by the terminating destination of the call.

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 40

LONG DISTANCE RESALE TARIFF

Intrastate Rates and Charges

First Ten Minutes: \$0.88
Each Additional Minute: \$0.09

4.5 1 800 3030 123 Americatel Collect

Rate and Charge Application

Per call access charges and per minute charges specified below apply to intrastate calls using 1-800-3030-123 Americatel Collect Service. Americatel Collect Service is decremented in whole minutes with partial minutes of usage rounded up to the 3rd minute.

The chargeable time for a 1-800-3030-123 Americatel Collect call is determined by the duration of the call. Chargeable time begins when the called party answers the call, accepts the charges, and two-way communication is established. Chargeable time ends when the calling or called station hangs up or otherwise terminates the call.

Rounding

Calls are billed in increments up to 3 minutes.

Payphone Surcharge

Americatel will charge a pay-phone surcharge of 65¢ per call.

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COMMONWEALTH OF KENTUCKY
TARIFF NO. 1
ORIGINAL SHEET 41

LONG DISTANCE RESALE TARIFF

Intrastate Rates and Charges

The rates and charges applicable to 1-800-3030-123 Americatel Collect
Service are as follows:

Connection Charge	\$3.50/ per call
Base Rate	\$0.69/per minute

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